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Golden Goose Deluxe Brand

20 CV 2122

JUDGE CASTELL

*Docket shall be
unsealed.
SO ORDERED
[Signature]
USDJ
3-19-20*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GOLDEN GOOSE S.P.A. D/B/A GOLDEN GOOSE
DELUXE BRAND,

Plaintiff

v.

ADASHOE001, B_DESIGNERBRAND, CHERIN,
DESIGNER_BRAND004, ETERNITY154,
FEIXIANG_2020, FOOT_LOCKER, FR003,
GDB_2020, GGD888, GGDB_STORE1, GGDB2020,
GLOBALPURCHASE98, GOODWELLSHOP99,
HIGOU, JUBAOPEN6666, JUN19842019,
KAKASPORTS, LONGWEI888, LUCKY1866,
LUXURY_CHEAPSHOES7, LUXURY_01,
LUXURYITALY, LUXURYSTAR, NKSHOES_7,
NKSHOES_9, OUTDOOR_001, PASSION789,
QIANHONG01, QIANMAOYI, QINCHUAN999,
RUNNING11, SHIHAO123, SHOES_63, SHOES_SG,
SHOES1992410, SHOES9896, SHUNLI_2020,
SPORT_STANDARD002, SPORT_STANDARD006,
SPORTSHOESOEM, TOPLILILI, TWINKLE65,
UGGGGSHOP2019, UTAKATA, WHITESHOE,
WHITESHOE888, WXNNH123, YANQI1763366,
YEEZY_BOOST_350, YEEZY5066 and
ZHIYUAN10178,

Defendants

Civil Case No.:

[PROPOSED]

1) TEMPORARY RESTRAINING
ORDER; 2) ORDER RESTRAINING
MERCHANT STOREFRONTS AND
DEFENDANTS' ASSETS WITH
THE FINANCIAL INSTITUTIONS;
3) ORDER TO SHOW CAUSE WHY
A PRELIMINARY INJUNCTION
SHOULD NOT ISSUE; 4) ORDER
AUTHORIZING BIFURCATED
AND ALTERNATIVE SERVICE;
AND 5) ORDER AUTHORIZING
EXPEDITED DISCOVERY

FILED UNDER SEAL

GLOSSARY

Term	Definition
Plaintiff or Golden Goose	Golden Goose S.p.A. d/b/a Golden Goose Deluxe Brand
Defendants	Adashoe001, B_designerbrand, Cherin, Designer_brand004, Eternity154, Feixiang_2020, Foot_locker, Fr003, Gdb_2020, Ggd888, Ggdb_store1, Ggdb2020, Globalpurchase98, Goodwellshop99, Higou, Jubaopen6666, Jun19842019, Kakasports, Longwei888, Lucky1866, Luxury_cheapshoes7, Luxury_01, Luxuryitaly, Luxurystar, Nkshoes_7, Nkshoes_9, Outdoor_001, Passion789, Qianhong01, Qianmaoyi, Qinchuan999, Running11, Shihao123, Shoes_63, Shoes_sg, Shoes1992410, Shoes9896, Shunli_2020, Sport_standard002, Sport_standard006, Sportshoesoem, Toplilili, Twinkle65, Uggggshop2019, Utakata, Whiteshoe, Whiteshoe888, Wxnnh123, Yanqi1763366, Yeezy_boost_350, Yeezy5066 and Zhiyuan10178
DHgate	Dunhuang Group d/b/a DHgate.com, an online marketplace and e-commerce platform which allows manufacturers, wholesalers and other third-party merchants, like Defendants, to advertise, distribute, offer for sale, sell and ship their wholesale and retail products originating from China directly to consumers worldwide and specifically to consumers residing in the U.S., including New York
Epstein Drangel	Epstein Drangel LLP, counsel for Plaintiff
New York Address	244 Madison Ave, Suite 411, New York, NY 10016
Complaint	Plaintiff's Complaint filed on March 10, 2020
Application	Plaintiff's <i>Ex Parte</i> Application for: 1) a temporary restraining order; 2) an order restraining Merchant Storefronts (as defined <i>infra</i>) and Defendants' Assets (as defined <i>infra</i>) with the Financial Institutions (as defined <i>infra</i>); 3) an order to show cause why a preliminary injunction should not issue; 4) an order authorizing bifurcated and alternative service and 5) an order authorizing expedited discovery filed on March 10, 2020
Baggiani Dec.	Declaration of Sandro Baggiani in Support of Plaintiff's Application
Scully Dec.	Declaration of Brienne Scully in Support of Plaintiff's Application
Golden Goose Products	A leading Italian high-end luxury men's and women's fashion and accessories brand that launched in or about 2000, which has distinguished itself with innovative but artisan spirited products
Golden Goose	U.S. Trademark Registration Nos.: 3,240,074 for

Registrations	“GOLDEN GOOSE DELUXE BRAND” for a variety of goods in Class 14 and 25 with a constructive date of first use of December 12, 2005; 4,427,149 for “GOLDEN GOOSE DELUXE BRAND” for a variety of goods in Class 18; and 4,911,084 for “GGDB” for a variety of goods in Class 18 and 25
Golden Goose Applications	U.S. Trademark Serial Application Nos.: 79/218,875  for  for a variety of goods in Class 18 and 25; and 79/244,715 for GOLDEN GOOSE DELUXE BRAND for a variety of goods in Class 18 and 25
Golden Goose Marks	The marks covered by the Golden Goose Registrations and the Golden Goose Applications
Counterfeit Products	Products bearing or used in connection with the Golden Goose Marks, and/or products in packaging and/or containing labels bearing the Golden Goose Marks, and/or bearing or used in connection with marks that are confusingly similar to the Golden Goose Marks and/or products that are identical or confusingly similar to the Golden Goose Products
Infringing Listings	Defendants’ listings for Counterfeit Products
User Accounts	Any and all websites and any and all accounts with online marketplace platforms such as DHgate, as well as any and all as yet undiscovered accounts with additional online marketplace platforms held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them
Merchant Storefronts	Any and all User Accounts through which Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them operate storefronts to manufacture, import, export, advertise, market, promote, distribute, display, offer for sale, sell and/or otherwise deal in Counterfeit Products, which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them
Defendants’ Assets	Any and all money, securities or other property or assets of Defendants (whether said assets are located in the U.S. or abroad)
Defendants’ Financial Accounts	Any and all financial accounts associated with or utilized by any Defendants or any Defendants’ User Accounts or Merchant Storefront(s) (whether said account is located in the U.S. or abroad)
Financial Institutions	Any and all banks, financial institutions, credit card

	companies and payment processing agencies, such as DHgate (<i>e.g.</i> , DHpay.com), PayPal Inc. (“PayPal”), Payoneer Inc. (“Payoneer”) and PingPong Global Solutions, Inc. (“PingPong”) and other companies or agencies that engage in the processing or transfer of money and/or real or personal property of Defendants
Third Party Service Providers	Online platforms, including, without limitation, those owned and operated, directly or indirectly by DHgate, as well as any and all as yet undiscovered online marketplace platforms and/or entities through which Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them manufacture, import, export, advertise, market, promote, distribute, offer for sale, sell and/or otherwise deal in Counterfeit Products which are hereinafter identified as a result of any order entered in this action, or otherwise

On this day, the Court considered Plaintiff's *ex parte* application for the following: 1) a temporary restraining order; 2) an order restraining Merchant Storefronts and Defendants' Assets with the Financial Institutions; 3) an order to show cause why a preliminary injunction should not issue; 4) an order authorizing bifurcated and alternative service and 5) an order authorizing expedited discovery against Defendants, Third Party Service Providers and Financial Institutions in light of Defendants' intentional and willful offerings for sale and/or sales of Counterfeit Products.¹ A complete list of Defendants is attached hereto as **Schedule A**, which also includes links to Defendants' Merchant Storefronts and Infringing Listings. Having reviewed the Application, Declarations of Sandro Baggiani and Brienne Scully, along with exhibits attached thereto and other evidence submitted in support thereof, the Court makes the following findings of fact and conclusions of law:


FACTUAL FINDINGS & CONCLUSIONS OF LAW


~~1. Plaintiff Golden Goose is a leading Italian high-end luxury men's and women's fashion and accessories brand that launched in or about 2000, which has distinguished itself with innovative but artisan spirited products, a low-key communication strategy and a highly selective placement in venues that share the brand's philosophy and has gained notoriety for its Golden Goose Products. The Golden Goose Products are distributed through a network of more than 700 exclusive multi-brand stores and franchisees, along with seven directly operated flagship stores in the United States and abroad.~~

2. While Plaintiff has gained significant common law trademark and other rights in its Golden Goose Products and Golden Goose Marks through its use, advertising and promotion, Plaintiff has also ~~protected its valuable rights by filing for and obtaining federal trademark registrations.~~

¹ Where a defined term is referenced herein and not defined herein, the defined term should be understood as it is defined in the Glossary.

3. For example, Golden Goose owns U.S. Trademark Registration Nos.: 3,240,074 for "GOLDEN GOOSE DELUXE BRAND" for a variety of goods in Class 14 and 25 with a constructive date of first use of December 12, 2005; 4,427,149 for "GOLDEN GOOSE DELUXE BRAND" for a variety of goods in Class 18; and 4,911,084 for "GGDB" for a variety of goods in Class 18 and 25. Golden Goose owns U.S. Trademark Serial Application Nos.: 79/218,875 for


registration of  for a variety of goods in Class 18 and 25; and 79/244,715 for

registration of  GOLDEN GOOSE DELUXE BRAND for a variety of goods in Class 18 and 25.

4. Defendants are manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale or Counterfeit Product through Defendants' User Accounts and Merchant Storefronts with DHgate (see **Schedule A** for links to Defendants' Merchant Storefronts and Infringing Listings);

5. DHgate is an online marketplace and e-commerce platform, which allows manufacturers and other third-party merchants, like Defendants, to advertise, distribute, offer for sale, sell and ship their retail products, which, upon information and belief, primarily originate from China, directly to consumers worldwide and specifically to consumers residing in the U.S., including New York.

6. Defendants are not, nor have they ever been, authorized distributors or licensees of the Golden Goose Products. Neither Plaintiff, nor any of Plaintiff's authorized agents, have consented to Defendants' use of the Golden Goose Marks, nor has Plaintiff consented to Defendants' use of marks that are confusingly similar to, identical to and constitute a counterfeiting or infringement of the Golden Goose Marks;

 Plaintiff is likely to prevail on its Lanham Act and related common law claims at trial;

8. As a result of Defendants' infringements, Plaintiff, as well as consumers, are likely to suffer immediate and irreparable losses, damages and injuries before Defendants can be heard in opposition, unless Plaintiff's Application for *ex parte* relief is granted.

- a. Defendants have offered for sale and sold standard Counterfeit Products that infringe the Golden Goose Marks;
- b. Plaintiff has well-founded fears that more Counterfeit Products will appear in the marketplace; that consumers may be misled, confused and disappointed by the quality of these Counterfeit Products, resulting in injury to Plaintiff's reputation and goodwill; and that Plaintiff may suffer loss of sales for its Golden Goose Products; and
- c. Plaintiff has well-founded fears that if it proceeds on notice to Defendants on this Application, Defendants will: (i) secret, conceal, destroy, alter, sell-off, transfer or otherwise dispose of or deal with Counterfeit Products or other goods that infringe the Golden Goose Marks, the means of obtaining or manufacturing such Counterfeit Products, and records relating thereto that are in their possession or under their control, (ii) inform their suppliers and others of Plaintiff's claims with the result being that those suppliers and others may also secret, conceal, sell-off or otherwise dispose of Counterfeit Products or other goods infringing the Golden Goose Marks, the means of obtaining or manufacturing such Counterfeit Products, and records relating thereto that are in their possession or under their control, (iii) secret, conceal, transfer or otherwise dispose of their ill-gotten proceeds from its sales of Counterfeit Products or other goods infringing the Golden Goose Marks and records relating thereto that are in their possession or under their control and/or (iv) open new User Accounts and Merchant Storefront under new or different names and continue to offer for sale and sell Counterfeit Products with little to no consequence;

3. The balance of potential harm to Defendants of being prevented from continuing to profit from their illegal and infringing activities if a temporary restraining order is issued is far outweighed by the potential harm to Plaintiff, its business, the goodwill and reputation built up in and associated with the Golden Goose Marks and to its reputations if a temporary restraining order is not issued;

4. 10. Public interest favors issuance of the temporary restraining order in order to protect Plaintiff's interests in and to its Golden Goose Marks, and to protect the public from being deceived and defrauded by Defendants' passing off of their substandard Counterfeit Products as Golden Goose Products;

5. 11. Plaintiff has not publicized its request for a temporary restraining order in any way;

6. 12. Service on Defendants via electronic means is reasonably calculated to result in proper notice to Defendants.

7. 13. If Defendants are given notice of the Application, they are likely to secret, conceal, transfer or otherwise dispose of their ill-gotten proceeds from their sales of Counterfeit Products or other goods infringing the Golden Goose Marks. Therefore, good cause exists for granting Plaintiff's request for an asset restraining order. It typically takes the Financial Institutions a minimum of five (5) days after service of the Order to locate, attach and freeze Defendants' Assets and/or Defendants' Financial Accounts and it is anticipated that it will take the Third Party Service Providers a minimum of five (5) days to freeze Defendants' Merchant Storefronts. As such, the Court allows enough time for Plaintiff to serve the Financial Institutions and Third Party Service Providers with this Order, and for the Financial Institutions and Third Party Service Providers to comply with the Paragraphs I(B)(1) through I(B)(2) and I(C)(1) of this Order, respectively, before requiring service on Defendants.

~~14. Similarly, if Defendants are given notice of the Application, they are likely to destroy, move, hide or otherwise make inaccessible to Plaintiff the records and documents relating~~

to Defendants' manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale and/or sale of Counterfeit Products. Therefore Plaintiff has good cause to be granted expedited discovery.

ORDER

Based on the foregoing findings of fact and conclusions of law, Plaintiff's Application is hereby **GRANTED** as follows:

I. Temporary Restraining Order

A. IT IS HEREBY ORDERED, as sufficient cause has been shown, that Defendants are hereby restrained and enjoined from engaging in any of the following acts or omissions pending the hearing and determination of Plaintiff's Application for a preliminary injunction as referenced in **Paragraph (II)(A)** below:

- 1) manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale, selling and/or otherwise dealing in Counterfeit Products, or any other products bearing the Golden Goose Marks and/or marks that are confusingly similar to, identical to and constitute a counterfeiting or infringement of the Golden Goose Marks;
- 2) directly or indirectly infringing in any manner Plaintiff's Golden Goose Marks;
- 3) using any reproduction, counterfeit, copy or colorable imitation of Plaintiff's Golden Goose Marks to identify any goods or service not authorized by Plaintiff;
- 4) using Plaintiff's Golden Goose Marks and/or any other marks that are confusingly similar to the Golden Goose Marks on or in connection with Defendants' manufacturing, importing, exporting, advertising, marketing, promoting, distributing, offering for sale, selling and/or otherwise dealing in Counterfeit Products;
- 5) using any false designation of origin or false description, or engaging in any action which is likely to cause confusion, cause mistake and/or to deceive members of the

trade and/or the public as to the affiliation, connection or association of any product manufactured, imported, exported, advertised, marketed, promoted, distributed, displayed, offered for sale or sold by Defendants with Plaintiff, and/or as to the origin, sponsorship or approval of any product manufactured, imported, exported, advertised, marketed, promoted, distributed, displayed, offered for sale or sold by Defendants and Defendants' commercial activities and Plaintiff;

- 6) secreting, concealing, destroying, altering, selling off, transferring or otherwise disposing of and/or dealing with: (i) Counterfeit Products and/or (ii) any computer files, data, business records, documents or any other records or evidence relating to their User Accounts, Merchant Storefronts or Defendants' Assets and the manufacture, importation, exportation, advertising, marketing, promotion, distribution, display, offering for sale and/or sale of Counterfeit Products;
- 7) effecting assignments or transfers, forming new entities or associations, or creating and/or utilizing any other platform, User Account, Merchant Storefront or any other means of importation, exportation, advertising, marketing, promotion, distribution, display, offering for sale and/or sale of Counterfeit Products for the purposes of circumventing or otherwise avoiding the prohibitions set forth in this Order; and
- 8) knowingly instructing any other person or business entity to engage in any of the activities referred to in subparagraphs I(A)(1) through I(A)(7) above and I(B)(1) through I(B)(2) and I(C)(1) below.

B. IT IS HEREBY ORDERED, as sufficient cause has been shown, that the Third Party Service Providers and Financial Institutions are hereby restrained and enjoined from engaging in any of the following acts or omissions pending the hearing and determination of Plaintiff's Application for a preliminary injunction as referenced in **Paragraph (II)(A)** below, or until further order of the Court:

- 1) secreting, concealing, transferring, disposing of, withdrawing, encumbering or paying Defendants' Assets from or to Defendants' Financial Accounts until further ordered by this Court;
- 2) secreting, concealing, destroying, altering, selling off, transferring or otherwise disposing of and/or dealing with any computer files, data, business records, documents or any other records or evidence relating to Defendants' Assets and Defendants' Financial Accounts; and
- 3) knowingly instructing any person or business entity to engage in any of the activities referred to in subparagraphs I(A)(I) through I(A)(7) and I(B)(1) through I(B)(2) above and I(C)(1) below.

C. IT IS HEREBY ORDERED, as sufficient cause has been shown, that the Third Party Service Providers are hereby restrained and enjoined from engaging in any of the following acts or omissions pending the hearing and determination of Plaintiff's Application for a preliminary injunction as referenced in **Paragraph (II)(A)** below, or until further order of the Court:

- 1) within five (5) days after receipt of service of this Order, providing services to Defendants, Defendants' User Accounts and Defendants' Merchant Storefronts, including, without limitation, continued operation of Defendants' User Accounts and Merchant Storefronts; and

- 2) knowingly instructing any other person or business entity to engage in any of the activities referred to in subparagraphs I(A)(1) through I(A)(7), I(B)(1) through I(B)(2) and I(C)(1) above.

**II. Order to Show Cause Why A Preliminary Injunction
Should Not Issue And Order Of Notice**

- ✓ A. Defendants are hereby ORDERED to show cause before this Court in Courtroom 11D of the United States District Court for the Southern District of New York at 500 Pearl Street/~~40 Foley~~
~~Square~~, New York, New York on March 23, 2020 at 2:30 p.m.
or at such other time that this Court deems appropriate, why a preliminary injunction, pursuant to Fed. R. Civ. P. 65(a), should not issue.
- B. IT IS FURTHER ORDERED that opposing papers, if any, shall be filed electronically with the Court and ^{thereby} served on Plaintiff's counsel by ~~delivering copies thereof to the office of Epstein Drangel LLP at 60 East 42nd Street, Suite 2520, New York, NY 10165, Attn: Jason M. Drangel~~
✓ on or before March 18, 2020. Plaintiff shall file any Reply papers on or before
✓ March 20, 2020.
- C. IT IS FURTHER ORDERED that Defendants are hereby given notice that failure to appear at the show cause hearing scheduled in **Paragraph II(A)** above may result in the imposition of a preliminary injunction against them pursuant to Fed. R. Civ. P. 65, which may take effect immediately upon the expiration of this Order, and may extend throughout the length of the litigation under the same terms and conditions set forth in this Order.

III. Asset Restraining Order

- A. IT IS FURTHER ORDERED pursuant to Fed. R. Civ. P. 64 and 65 and N.Y. C.P.L.R. 6201 and this Court's inherent equitable power to issue provisional remedies ancillary to its authority to provide final equitable relief, as sufficient cause has been shown, that within five (5) days of receipt of service of this Order, the Financial Institutions shall locate and attach Defendants'

Financial Accounts and shall provide written confirmation of such attachment to Plaintiff's counsel.

IV. Order Authorizing Bifurcated and Alternative Service by Electronic Means

A. IT IS FURTHER ORDERED pursuant to Fed. R. Civ. P. 4(f)(3), as sufficient cause has been shown, that service may be made on, and shall be deemed effective as to Defendants if it is completed by the following means:

- 1) delivery of: (i) PDF copies of this Order together with the Summons and Complaint, or (ii) a link to a secure website (including NutStore, a large mail link created through Rmail.com and via website publication through a specific page dedicated to this Lawsuit accessible through ipcounselorslawsuit.com) where each Defendant will be able to download PDF copies of this Order together with the Summons and Complaint, and all papers filed in support of Plaintiff's Application seeking this Order to Defendants' e-mail addresses to be determined after having been identified by DHgate pursuant to **Paragraph V(C)**; or
- 2) delivery of a message to Defendants through the system for communications established by the Third Party Service Providers on their respective platforms, notifying Defendants that an action has been filed against them in this Court and providing a link to a secure website (such as NutStore or a large mail link created through Rmail.com) where each Defendant will be able to download PDF copies of this Order together with the Summons and Complaint, and all papers filed in support of Plaintiff's Application seeking this Order.

B. IT IS FURTHER ORDERED, as sufficient cause has been shown, that such alternative service by electronic means ordered herein shall be deemed effective as to Defendants, Third Party Service Providers and Financial Institutions through the pendency of this action.

- C. IT IS FURTHER ORDERED, as sufficient cause has been shown, that such alternative service by electronic means ordered herein shall be made within five (5) days of the Financial Institutions and Third Party Service Providers' compliance with **Paragraphs III(A)** and **V(C)** of this Order.
- D. IT IS FURTHER ORDERED, as sufficient cause has been shown, that the Clerk of the Court shall issue a single original summons in the name of "Adashoe001 and all other Defendants identified in the Complaint" that will apply to all Defendants.
- E. IT IS FURTHER ORDERED, as sufficient cause has been shown, that service may be made and shall be deemed effective as to the following if it is completed by the below means:
- 1) delivery of: (i) a PDF copy of this Order, or (ii) a link to a secure website where PayPal Inc. will be able to download a PDF copy of this Order via electronic mail to EE Omaha Legal Specialist at EEOMALegalSpecialist@paypal.com;
 - 2) delivery of (i) a PDF copy of this Order, or (ii) a link to a secure website where DHgate (including DHPay.com) will be able to download a PDF copy of this Order via electronic mail to Ms. Emily Zhou, Intellectual Property Management, Trust and Safety Department, DHgate at zhouxu@dhgate.com;
 - 3) delivery of: (i) a PDF copy of this Order, or (ii) a link to a secure website where Payoneer Inc. will be able to download a PDF copy of this Order via electronic mail to Payoneer Inc.'s Customer Service Management at customerservicemanager@payoneer.com and Edward Tulin, counsel for Payoneer Inc., at Edward.Tulin@skadden.com; and
 - 4) delivery of: (i) a PDF copy of this Order, or (ii) a link to a secure website where PingPong Global Solutions Inc. will be able to download a PDF copy of this Order via electronic mail to PingPong Global Solutions Inc.'s Legal Department at legal@pingpongx.com and Nicole Zeng at zengni@pingpongx.com.

V. Order Authorizing Expedited Discovery

A. IT IS FURTHER ORDERED, as sufficient cause has been shown, that:

- 1) Within fourteen (14) days after receiving service of this Order, each Defendant shall serve upon Plaintiff's counsel a written report under oath providing:
 - a. their true name and physical address;
 - b. the name and location and URL of any and all websites that Defendants own and/or operate and the name, location, account numbers and URL for any and all User Accounts and Merchant Storefronts on any Third Party Service Provider platform that Defendants own and/or operate;
 - c. the complete sales records for any and all sales of Counterfeit Products, including but not limited to number of units sold, the price per unit, total gross revenues received (in U.S. dollars) and the dates thereof;
 - d. the account details for any and all of Defendants' Financial Accounts, including, but not limited to, the account numbers and current account balances; and
 - e. the steps taken by each Defendant, or other person served to comply with **Section I**, above.
- 2) Plaintiff may serve interrogatories pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure as well as Local Civil Rule 33.3 of the Local Rules for the Southern and Eastern Districts of New York and Defendants who are served with this Order shall provide written responses under oath to such interrogatories within fourteen (14) days of service to Plaintiff's counsel.
- 3) Plaintiff may serve requests for the production of documents pursuant to Fed. R. Civ. P. 26 and 34, and Defendants who are served with this Order and the requests for the production of documents shall produce all documents responsive to such requests within fourteen (14) days of service to Plaintiff's counsel.

B. IT IS FURTHER ORDERED, as sufficient cause has been shown, that within five (5) days of receipt of service of this Order the Financial Institutions shall identify any and all of Defendants' Financial Accounts, and provide Plaintiff's counsel with a summary report containing account details for any and all such accounts, which shall include, at a minimum, identifying information for Defendants, including contact information for Defendants (including, but not limited to, mailing addresses and e-mail addresses), account numbers and account balances for any and all of Defendants' Financial Accounts and confirmation of said compliance with this Order.

C. IT IS FURTHER ORDERED, as sufficient cause has been shown, that within five (5) days of receipt of service of this Order, the Third Party Service Providers shall identify any and all of Defendants' User Accounts and Merchant Storefronts, and provide Plaintiff's counsel with a summary report containing account details for any and all User Accounts and Merchant Storefronts, which shall include, at a minimum, identifying information for Defendants and Defendants' User Accounts and Defendants' Merchant Storefronts, contact information for Defendants (including, but not limited to, mailing addresses and e-mail addresses) and confirmation of said compliance with this Order.

D. IT IS FURTHER ORDERED, as sufficient cause has been shown, that:

- 1) Within fourteen (14) days of receiving actual notice of this Order, all Financial Institutions who are served with this Order shall provide Plaintiff's counsel all documents and records in their possession, custody or control (whether located in the U.S. or abroad) relating to any and all of Defendants' Financial Accounts, including, but not limited to, documents and records relating to:
 - a. account numbers;
 - b. current account balances;

- c. any and all identifying information for Defendants, Defendants' User Accounts and Defendants' Merchant Storefronts, including, but not limited to, names, addresses and contact information;
- d. any and all account opening documents and records, including, but not limited to, account applications, signature cards, identification documents and if a business entity, any and all business documents provided for the opening of each and every of Defendants' Financial Accounts;
- e. any and all deposits and withdrawals during the previous year from each and every one of Defendants' Financial Accounts and any and all supporting documentation, including, but not limited to, deposit slips, withdrawal slips, cancelled checks and account statements; and
- f. any and all wire transfers into each and every one of Defendants' Financial Accounts during the previous year, including, but not limited to, documents sufficient to show the identity of the destination of the transferred funds, the identity of the beneficiary's bank and the beneficiary's account number.

E. IT IS FURTHER ORDERED, as sufficient cause has been shown, that:

- 1) Within fourteen (14) days of receipt of service of this Order, the Third Party Service Providers shall provide to Plaintiff's counsel all documents and records in its possession, custody or control (whether located in the U.S. or abroad) relating to Defendants' User Accounts and Defendants' Merchant Storefronts, including, but not limited to, documents and records relating to:
 - a. any and all User Accounts and Defendants' Merchant Storefronts and account details, including, without limitation, identifying information and account numbers for any and all User Accounts and Defendants' Merchant Storefronts that

Defendants have ever had and/or currently maintain with the Third Party Service Providers that were not previously provided pursuant to Paragraph V(C);

- b. the identities, location and contact information, including any and all e-mail addresses of Defendants that were not previously provided pursuant to Paragraph V(C);
- c. the nature of Defendants' businesses and operations, methods of payment, methods for accepting payment and any and all financial information, including, but not limited to, information associated with Defendants' User Accounts and Defendants' Merchant Storefronts, a full accounting of Defendants' sales history and listing history under such accounts and Defendants' Financial Accounts with any and all Financial Institutions associated with Defendants' User Accounts and Defendants' Merchant Storefronts; and
- d. Defendants' manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale and/or selling of Counterfeit Products, or any other products bearing the Golden Goose Marks and/or marks that are confusingly similar to, identical to and constitute an infringement of the Golden Goose Marks.

VI. Security Bond

- ✓ A. IT IS FURTHER ORDERED that Plaintiff shall place security in the amount of Five Thousand Dollars (\$5000.⁰⁰) with the Court which amount is determined adequate for the payment of any damages any person may be entitled to recover as a result of an improper or wrongful restraint ordered hereunder.

VII. Sealing Order

- A. IT IS FURTHER ORDERED that Plaintiff's Complaint and exhibits attached thereto, and Plaintiff's *ex parte* Application and the Declarations Sandro Baggiani and Brienne Scully in

support thereof and exhibits attached thereto and this Order shall remain sealed until the Financial Institutions and Third Party Service Providers comply with **Paragraphs I(B)-(C), III(A) and V(C)** of this Order.

SO ORDERED.

✓ SIGNED this 10th day of March, 2020, at 7:33 p.m.


UNITED STATES DISTRICT JUDGE



SCHEDULE A

No.	Defendant	Infringing Listing	Merchant Storefront
1	Adashoe001	https://www.dhgate.com/product/fashionable-new-patent-leather-high-heels/503597734.html	https://www.dhgate.com/store/21407812#st-navigation-storehome
2	B designerbrand	https://www.dhgate.com/product/luxury-sneakers-high-quality-goose-old-style/516952084.html	https://www.dhgate.com/wholesale/products/ff8080816f1d552a016f57030f9376c.html
3	Cherin	https://www.dhgate.com/product/high-quality-db-goose-new-style-sneakers/504060080.html	https://www.dhgate.com/store/214498263#st-navigation-storehome
4	Designer_brand004	https://www.dhgate.com/product/2019-new-luxury-genuine-leather-goose-best/513080672.html	https://www.dhgate.com/wholesale/products/ff8080816e461c96016eacba8956ebb.html
5	Feminity154	https://www.dhgate.com/product/df4-men-woman-outdoor-black-shoes-casual/521201177.html	https://www.dhgate.com/wholesale/products/ff8080816893ca180168ff4b9148420d.html
6	Feixiang_2020	https://www.dhgate.com/product/italy-brand-multicolor-heel-golden-superstar/521128229.html	https://www.dhgate.com/store/21441033#st-navigation-storehome
7	Foot_locker	https://www.dhgate.com/product/2019-designer-shoes-goose-old-style-sneakers/473271484.html	https://www.dhgate.com/store/20187487#st-navigation-storehome
8	FR003	https://www.dhgate.com/product/italy-leather-shoes-sneakers-goldens-scarpe/493219471.html	https://www.dhgate.com/store/20083689#st-navigation-storehome
9	Gdb_2020	https://www.dhgate.com/product/italy-brand-multicolor-heel-golden-superstar/522508345.html	https://www.dhgate.com/wholesale/products/ff8080816f1d5459016f22cb396c086a.html
10	Gdb4888	https://www.dhgate.com/product/italy-leather-shoes-sneakers-goldens-gb-scarpe/5012155312.html	https://www.dhgate.com/store/21415935#st-navigation-storehome
11	Gdb_store1	https://www.dhgate.com/product/italy-brand-multicolor-heel-golden-superstar/5211131362.html	https://www.dhgate.com/wholesale/products/ff8080816e461c96016eacba8956ebb.html
12	Ggdb_2020	https://www.dhgate.com/product/italy-brand-golden-sequin-heel-classic-goose/522808869.html	https://www.dhgate.com/store/21292481#st-navigation-storehome
13	Globalpurchase98	https://www.dhgate.com/product/2019-goose-stock-ventilating-luffers-dirty/501216206.html	https://www.dhgate.com/wholesale/products/ff8080816d61ea0216d703f93552edcb.html
14	Goodwellshop99	https://www.dhgate.com/product/women-shoes-summer-sandies-black-high-heel/440727968.html	https://www.dhgate.com/store/21123582#st-navigation-storehome
15	Higou	https://www.dhgate.com/product/2020-new-designer-shoes-goose-old-style-sneakers/523810335.html	https://www.dhgate.com/store/20207989#st-navigation-storehome
16	Jubaopeng16666	https://www.dhgate.com/product/star-wool-fall-winter-new-sneakers-goldens/501069661.html	https://www.dhgate.com/store/21315565#st-navigation-storehome
17	Jun15842019	https://www.dhgate.com/product/fashion-shoes-sneakers-goldens-gb-scarpe/503745855.html	https://www.dhgate.com/store/21203557#st-navigation-storehome
18	Kakasports	https://www.dhgate.com/product/golden-goose-aggb-old-style-sneakers-genuine/413895825.html	https://www.dhgate.com/store/21026429#st-navigation-storehome
19	Longwei838	https://www.dhgate.com/product/italy-deluxe-goldens-gb-sequin-heel-classic/51777092.html	https://www.dhgate.com/store/21228105#st-navigation-storehome
20	Lucky1866	https://www.dhgate.com/product/fashion-shoes-sneakers-goldens-gb-scarpe/504656577.html	https://www.dhgate.com/wholesale/products/ff8080816f6ad668017014f8be5a6d4e.html
21	Luxury_01	https://www.dhgate.com/product/italy-golden-sequin-heel-classic-sneakers/523337042.html	https://www.dhgate.com/store/21266079#st-navigation-storehome
22	Luxury_Italy	https://www.dhgate.com/product/gold-star-designer-goose-sneakers-classic/485323093.html	https://www.dhgate.com/store/21435700#st-navigation-storehome
23	LuxuryItaly1	https://www.dhgate.com/store/product/2020-italy-golden-old-style-star-fashion/521936141.html	https://www.dhgate.com/wholesale/products/ff8080816e461c9d016ebbaefc21473f.html
24	Luxurystar	https://www.dhgate.com/store/product/italy-2020s-golden-old-style-stars-fashion/521597341.html	https://www.dhgate.com/store/21418625#st-navigation-storehome
25	Nkshoes_7	https://www.dhgate.com/product/high-top-golden-goose-sneakers-men-women-fashion/523059493.html	https://www.dhgate.com/wholesale/products/ff8080816e461c9d016ebbaefc21473f.html
26	Nkshoes_9	https://www.dhgate.com/product/superstar-sneaker-design-13-shoes-goldens/522561135.html	https://www.dhgate.com/wholesale/products/ff8080816e461c9d016ebbaefc21473f.html
27	Outdoor_001	https://www.dhgate.com/product/2017-gold-star-designer-goose-sneakers-classic/518588851.html	https://www.dhgate.com/store/21416103#st-navigation-storehome
28	Panhang089	https://www.dhgate.com/product/as7-woman-men-outdoor-shoes-outdoor-leather/521168833.html	https://www.dhgate.com/wholesale/products/ff8080816e9384e40168ff3ee2044838.html
29	Qianhong01	https://www.dhgate.com/product/goose-old-style-sneakers-genuine-leather/516158846.html	https://www.dhgate.com/store/21229800#st-navigation-storehome
30	Qianmayi	https://www.dhgate.com/product/2019-woman-men-49-casual-casual-sandals/515059157.html	https://www.dhgate.com/store/21374851#st-navigation-storehome
31	Qinchuang99	https://www.dhgate.com/product/a10-black-casual-outdoor-shoes-for-men-low/519305932.html	https://www.dhgate.com/wholesale/products/ff8080816893ca180168ff89d405467.html
32	Running11	https://www.dhgate.com/product/hh1-woman-men-outdoor-shoes-outdoor-leather/515071405.html	https://www.dhgate.com/store/21225567#st-navigation-storehome
33	Shihao123	https://www.dhgate.com/product/goose-old-style-sneakers-genuine-leather/507891763.html	https://www.dhgate.com/store/20753036#st-navigation-storehome
34	Shoes_63	https://www.dhgate.com/product/q7-black-casual-outdoor-shoes-for-men-low/519301592.html	https://www.dhgate.com/wholesale/products/ff808081689384ed0168ff64f60489c.html
35	Shoes_58	https://www.dhgate.com/product/qk27-black-casual-outdoor-shoes-for-men-low/520223847.html	https://www.dhgate.com/store/21209805#st-navigation-storehome
36	Shoes1992410	https://www.dhgate.com/product/italy-golden-goose-db-star-men-women-leather/489652409.html	https://www.dhgate.com/wholesale/products/ff8080816893ca180168ff951ca848e1.html
37	Shoes9896	https://www.dhgate.com/product/f66-black-casual-outdoor-shoes-for-men-low/519302689.html	https://www.dhgate.com/store/21209805#st-navigation-storehome
38	Shunli_2020	https://www.dhgate.com/product/brand-multicolor-heel-golden-superstar-goose/521966531.html	https://www.dhgate.com/wholesale/products/ff8080816f1d5528016f8440168ff5daab0480b.html
39	Sport_standard002	https://www.dhgate.com/product/fashion-old-style-sneakers-genuine-leather/518121261.html	https://www.dhgate.com/wholesale/products/ff8080816f1d5516016f2620bfc4614.html
40	Sport_standard006	https://www.dhgate.com/product/goose-db-old-style-casual-shoes-genuine-leather/518121451.html	https://www.dhgate.com/store/21105754016f263194e44721.html
41	Sportshoesom	https://www.dhgate.com/product/2019-italy-leather-shoes-sneakers-goldens/504745377.html	https://www.dhgate.com/store/21366725#st-navigation-storehome
42	Topilili	https://www.dhgate.com/product/leather-suede-dress-shoes-for-goose-ladies/518438189.html	https://www.dhgate.com/store/21282238#st-navigation-storehome
43	Twinkl655	https://www.dhgate.com/product/2019-italy-leather-shoes-sneakers-goldens/504048428.html	https://www.dhgate.com/store/21292100#st-navigation-storehome
44	Ullakata	https://www.dhgate.com/product/genuine-leather-tassel-luxury-handbags-women/518951844.html	https://www.dhgate.com/wholesale/products/ff80808165e7d27c016643922ec00331.html
45	Whiteshoe	https://www.dhgate.com/product/2019-new-arrival-top-quality-gooses-hi-star/5036526029.html	https://www.dhgate.com/store/17943588#st-navigation-storehome
46	Whiteshoe888	https://www.dhgate.com/product/fashion-shoes-sneakers-goldens-gb-scarpe/504608959.html	https://www.dhgate.com/store/21364384#st-navigation-storehome
47	Whiteshoe888	https://www.dhgate.com/product/fashion-shoes-sneakers-goldens-gb-scarpe/505831075.html	https://www.dhgate.com/store/21411768#st-navigation-storehome
48	Wmnh123	https://www.dhgate.com/product/goose-old-style-sneakers-genuine-leather/507893086.html	https://www.dhgate.com/store/21227986#st-navigation-storehome
49	Yang1763366	https://www.dhgate.com/product/high-quality-old-style-sneakers-genuine-leather/505300415.html	https://www.dhgate.com/store/21218661#st-navigation-storehome
50	Yeey_boost_350	https://www.dhgate.com/product/italy-13-ggdbgolden-gooses-italy-gooses-slide/512377028.html	https://www.dhgate.com/store/20277488#st-navigation-storehome
51	Yeyu5066	https://www.dhgate.com/product/italy-leather-shoes-sneakers-goldens-scarpe/512377028.html	https://www.dhgate.com/store/21384588#st-navigation-storehome
52	Zhiyuan10178	https://www.dhgate.com/product/italy-brand-multicolor-heel-golden-superstar/521382524.html	https://www.dhgate.com/wholesale/products/ff8080816c1bdf6a5016d194d4f4a5f8b.html